

MESSAGE NO: 0084305 MESSAGE DATE: 03/25/2010

MESSAGE STATUS: Active CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐

SUB-TYPE: ADRV-Administrative Review

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-428-825

EFFECTIVE DATE: 08/25/2004 COURT CASE #:

PERIOD OF REVIEW: 07/01/2000 TO 06/30/2001

PERIOD COVERED: 07/01/2000 TO 06/30/2001

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR STAINLESS STEEL SHEET AND STRIP IN COILS FROM GERMANY PRODUCED OR EXPORTED BY THYSSENKRUPP NIROSTA GMBH OR THYSSENKRUPP VDM GMBH (A-428-825-001); REF. MESSAGE 4337202.

1. MESSAGE NUMBER 4337202 DATED 12/02/2004 ORDERED LIQUIDATION OF CERTAIN ENTRIES OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM GERMANY MANUFACTURED/EXPORTED BY THYSSENKRUPP NIROSTA GMBH OR THYSSENKRUPP VDM GMBH, AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/01/2000 THROUGH 06/30/2001.

2. FOR ANY ENTRIES OF MERCHANDISE MANUFACTURED BY THYSSENKRUPP NIROSTA GMBH OR THYSSENKRUPP VDM GMBH ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION FOR THE PERIOD 07/01/2000 THROUGH 06/30/2001, AND NOT COVERED BY MESSAGE NUMBER 4337202, YOU ARE TO ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT RATE OR BONDING RATE IN EFFECT ON THE DATE OF THE ENTRY SUMMARY.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 07/01/2000 THROUGH 06/30/2001 DESCRIBED IN PARAGRAPH 2 OCCURRED WITH THE LIFTING OF THE COURT INJUNCTION ENJOINING LIQUIDATION OF THESE ENTRIES ON 08/25/2004 (SEE MESSAGE 4337202). FOR ALL OTHER SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM GERMANY YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS

OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:RMJ).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

FLORENCE CONSTANT

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party